

**NOTE: ANYONE REQUESTING INTERPRETIVE SERVICES FOR THE HEARING IMPAIRED MUST NOTIFY THE TOWN CLERK'S OFFICE AT 253-7000, 72 HOURS IN ADVANCE OF THE MEETING DATE AND ANYONE REQUESTING ASSISTIVE LISTENING DEVICES OR WISHING TO SPEAK ON A MATTER DESIGNATED "CA" (CONSENT AGENDA) ON THE COUNCIL DOCKET MUST NOTIFY THE COUNCIL CLERK PRIOR TO THE COMMENCEMENT OF THE MEETING.**

DATE: March 27, 2013

TIME: 7:00 PM

TOWN HALL - COUNCIL CHAMBERS

PRESENT:

MEETING DATES: April 8, 2013 - Special Town Council Meeting  
(Vote on Provisional Budget)  
April 22, 2013 - Public Hearing on Budget  
April 24, 2013 - Town Council Meeting  
May 6, 2013 - Special Town Council Meeting  
(Final Council Consideration of  
Budget and Vote for Adoption of Budget)  
May 15, 2013 - Town Council Meeting

**MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA**

- A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)
  - 1. Town Council Special Meeting - January 30, 2013
  - 2. Town Council Special Meeting - February 20, 2013
  - 3. Town Council Special Meeting - March 14, 2013
- B. PUBLIC HEARINGS
  - 1. Joan Brito, for 1776 Liquors, Ltd., d/b/a 1776 Liquors, 597 Metacom Avenue - Request for Transfer of Class A Intoxicating Beverage License to Elizabeth Brito (new stockholder)
    - a. Recommendation - Town Administrator and Chief of Police

2. William J. Delaney, Receiver for Prince Investment Group, LLC, (Ricc's North End Trattoria), 200 Gooding Avenue - Request for Transfer of Class B-V Intoxicating Beverage License to B. Peter Sebring, for Bristol Oyster Bar, LLC, d/b/a Bristol Oyster Bar (new owner/name)
  - a. Recommendation - Town Administrator and Fire Chief
  - b. Claim of Dominee Maria Mello, Vice President, Mello's Fruitland, Inc.

C. ORDINANCES

1. Ordinance #2013-05, Chapter 8, Boats, Docks and Waterways, Article III, Harbor Commission Advisory Committee, Section 8-92, Membership (increase maximum number of members from 6 to 7), **2<sup>nd</sup> reading for adoption**
2. Ordinance #2013-06, as amended, Chapter 18, Parks and Recreation, Article I, In General, Sections 18-2, Definitions and 18-7, Prohibited acts constituting violations (snowmobiles), **2<sup>nd</sup> reading for adoption**
3. Ordinance #2013-07, Chapter 11, Fees and Charges, Section 11-1, Comprehensive Schedule of Fees, Subsections (i), Temporary dock use and (j), Transient moorings, **1<sup>st</sup> reading**

D. LICENSING BOARD - NEW PETITIONS

1. Joan Brito, for 1776 Liquors, Ltd., d/b/a 1776 Liquors, 597 Metacom Avenue - Request for Transfer of Class A Intoxicating Beverage License to Elizabeth Brito (new stockholder)
  - a. Recommendation - Town Administrator and Chief of Police
2. William J. Delaney, Receiver for Prince Investment Group, LLC, (Ricc's North End Trattoria), 200 Gooding Avenue - Request for Transfer of Class B-V Intoxicating Beverage License to B. Peter Sebring, for Bristol

Oyster Bar, LLC, d/b/a Bristol Oyster Bar  
(new owner/name)

- a. Recommendation - Town Administrator and Department of Water Pollution Control
    - b. Claim of Dominee Maria Mello, Vice President, Mello's Fruitland, Inc.
  3. B. Peter Sebring, for Bristol Oyster Bar, LLC, d/b/a Bristol Oyster Bar, 200 Gooding Avenue - Request for Victualling License
    - a. Recommendation - Town Administrator and Department of Water Pollution Control
    - b. Recommendation - Town Administrator and Fire Chief
  4. Ronald J. Goldsmith, for Contemporary Landscaping, Inc., 80 East Hill Drive, Cranston, RI - Request for Drainlayer's License
    - a. Recommendation - Town Administrator and Director of Public Works
  5. Stephen Squatrito, for Weavers Management, Inc., d/b/a Backroad Grille, 549 Metacom Avenue - Petition for Transfer of Class B-V Intoxicating Beverage license to Charles D. Frizado, Jr., for Wing-N-It, Inc., d/b/a Wing-N-It (new name/owner), **call for public hearing April 24, 2013**
  6. John C. Howard, for VFW Post 237, 850 Hope Street - Request for One-Day Dancing and Entertainment License, May 25, 2013
- E. LICENSING BOARD - RENEWALS
1. Dog Kennel License Renewals (2013-2014)
    - a. Recommendation - Town Administrator and Chief of Police
- F. PETITIONS - OTHER
1. Melanie Ramos, 34 Addy Drive - Claim for Property Damage

2. Erika Saviano, 48 Constitution Street - Claim for Property Damage
3. Ryan Garrity, for Mt. Hope High School Robotics Club re Request for Support
4. Julia M. Araujo, 562 Wood Street - Request for Handicapped Parking Space in Front of Residence, **1<sup>st</sup> reading**
  - a. Recommendation - Town Administrator and Chief of Police

G. APPOINTMENTS

1. Public Service Appointments
  - a. Harbor Commission (2) (terms to expire in March 2016)
    1. John Troiano, 707 Hope Street - interest/reappointment
    2. Daniel Eagan, 3 Everett Street - interest/appointment
  - b. Zoning Board of Review (term to expire in March 2018)
    1. Joseph P. Asciola, 1220 Hope Street - interest/reappointment
  - c. Zoning Board of Review - Alternate Members (2) (terms to expire in March 2015)
    1. Diamantino Fonseca, 227 Thames Street - interest/reappointment (first alternate)
    2. Steven M. Hudak, 70 Franklin Street - interest/reappointment (second alternate)
  - d. Board of Fire Engineers
    1. Fire Chief Martin re elected candidates (Town Code § 12-57) - Board of Fire Engineers

- e. Harbor Commission Advisory Commission  
(vacant unexpired term to expire in  
August 2013 & Ref. Ordinance #2013-05  
new member, term to expire in August  
2014)
  - 1. Andrew Noronha, 19 Monroe Avenue -  
interest/appointment
  - 2. Michael Donahue, 108 State Street -  
interest/appointment

H. OLD BUSINESS

- 1. Harry L. Staley, Chairman, R.I. Taxpayers  
(formerly Rhode Island Statewide Coalition)  
re Proposed Master Lever Resolution (see  
agenda items GG3 and GG5), **continued from  
March 6, 2013**
  - a. Harry Staley re appearance of Ken Block
- 2. Michael J. Goetz, Chief, Risk Analysis  
Branch, FEMA Region 1 re Preliminary Flood  
Insurance Rate Map (FIRM) and Preliminary  
Flood Insurance Study (FIS) Report - review  
and comment, **continued from March 6, 2013**

I. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

- 1. Dan Beardsley, Executive Director, Rhode  
Island League of Cities and Towns re Request  
for Council consideration - adoption of  
Resolutions in opposition to binding  
arbitration and contract continuation  
legislation
  - a. (Draft) Resolution Opposing Binding  
Arbitration Legislation (legislation  
attached)
  - b. (Draft) Resolution Opposing Contract  
Continuation Legislation (legislation  
attached)
- 2. Ford K. Sayre, 47 Sea Breeze Lane re Request  
for Council consideration - adoption of  
Resolution in support of Senate Bill 337 and  
House Bill 5498

- a. (Draft) Resolution in support of proposed referendum relating to RI Code of Ethics (legislation attached)
- 3. James N. Russo, Federal Coordinating Officer, FEMA and Edward W. Johnson, Alternate State Coordinating Officer, R.I. Emergency Management Agency - Certificate of Appreciation for support during recovery efforts from Hurricane Sandy
- 4. Charles C. Cavalcante, Chairman, Commissioners of the Cemeteries (North and East Burial Grounds Commission) re proposed fee schedule amendment
- 5. Councilman Herreshoff re Advanced Idea for FY15 Budget re 805 Human Resources
- 6. CDBG Program Manager Turbeville re PY 2013 Community Development Block Grant Projects/Programs and Draft Resolution
- 7. Council Clerk Cirillo re Harbormaster Applications
- 8. Town Administrator Teixeira re Poppasquash Road Project
  - a. Councilman Herreshoff re Poppasquash Road
- 9. Town Administrator Teixeira re Proposed Changes to RIPTA Route 60
- 10. Jim Dollins, Vice-chairman, Harbor Commission re Proposed Transient Dock and Mooring Fee Policy
- J. BILLS & EXPENDITURES
  - 1. Bid #776 - 2013 Spring Tree Planting
- K. SPECIAL REPORTS
  - 1. Town Administrator Teixeira re Department Reports
    - a. Tax Assessor - (March 22, 2013)

- b. Rogers Free Library - March 22, 2013
- c. Fire & Rescue - Period ending March 2013
- d. Public Works - November 2012
- e. Public Works - December 2012
- f. Public Works - January 2013
- g. Public Works - February 2013
- h. Building Inspection - November 1, 2012 through February 28, 2013 inclusive
- i. Parks and Recreation - Prepared February 25, 2013
- j. Harbormaster -
- k. Harbormaster - (March 22, 2013)
- l. Water Pollution Control - prepared March 21, 2013

L. TOWN SOLICITOR

- 1. Assistant Solicitor Teitz re Request for Executive Session Pursuant to RIGL § 42-46-5(a) (5) Acquisition of Real Property

M. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

- 1. Parella
- 2. Herreshoff
- 3. Calouro
- 4. Stuart
- 5. Sweeney

N. TOWN ADMINISTRATOR AGENDA ITEM(S)

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CITIZENS PUBLIC FORUM

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Consent Agenda Items:

(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Board of Fire Engineers - March 4, 2013
2. Harbor Commission - March 4, 2013
3. Post Retirement Benefits Fund Board of Trustees - November 14, 2012
4. Bristol Housing Authority - February 20, 2013
5. Economic Development Commission - February 11, 2013

(CA) BB. BUDGET ADJUSTMENTS

**Approval of consent agenda="Motion to approve these adjustments."**

1. (Tax Assessor Belair) re Abatements and Additions

(CA) CC. FINANCIAL REPORTS

**Approval of consent agenda="Motion to receive and place these items on file."**

1. (Town Treasurer Goucher) re Revenue and Expenditure Statement, March 22, 2013

(CA) DD. PROCLAMATIONS, RESOLUTIONS & CITATIONS

**Approval of consent agenda="Motion to adopt these Proclamations, Resolutions and Citations as prepared and presented."**

1. Commendation - Emma Dimond Brown,
2. Commendation - Maria Ursini,
3. Commendation - Matthew Vincent Ciociola, Eagle Scout Court of Honor

(CA) EE. UTILITY PETITIONS



**Approval of consent agenda="Motion to approve these petitions."**

**(CA) FF. UPCOMING APPOINTMENTS**

**Approval of consent agenda="Motion to approve advertising these Appointments."**

1. Public Service Appointments for Advertising (April)

**(CA) GG. CITY & TOWN RESOLUTIONS NOT PREVIOUSLY CONSIDERED**

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Kathy M. Silvia, Newport Town Clerk - Resolution re Gun Safety
2. Amy Rose Weinreich, Charlestown Town Clerk - Resolution re Gun Safety
3. Amy Rose Weinreich, Charlestown Town Clerk - Resolution re Request for Support of Proposed Legislation to Repeal RIGL § 17-19-15 Party Levers
4. Kathleen M. Silvia, Newport City Clerk - Resolution re Request for Support of Proposed Legislation to Amend RIGL § 42-46 Open Meetings (meetings via video conferencing)
5. Lynn M. Hawkins, Exeter Town Clerk - Resolution re Request for Support of Senate Bill 0044 and House Bill 5072

**(CA) HH. DISTRIBUTIONS/COMMUNICATIONS**

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Class F Alcoholic Beverage License - East Bay Bulldogs (East Bay Baseball Academy), 47 Gooding Avenue, March 23, 2013
2. Warrant - Gina DiCenso, Assistant Town Solicitor

3. T. Cecile Drouin CPS, Division of Forest Environment, RI Department of Environmental Management re Approved Tree Warden Appointment for 2013 - Michael King
4. Town Solicitor Ursillo to Rep. Kenneth A. Marshall re 2013 - H 5600, Establishment of Prudence Island Ferry Authority - amend to consist of 6 members with 3 from Bristol to match the 3 from Portsmouth
5. Donna L. Giordano, MMC, Westerly Town Clerk re Resolution Opposing Mandatory Binding Arbitration on Monetary Matters for Teachers
6. Council Clerk Cirillo to Sen. David E. Bates et al re Council Resolutions - Enterprise Zone Wage Tax Credit (signed copy attached) and Sakonnet River Bridge Tolls (signed original attached)
7. Council Clerk Cirillo to Gov. Lincoln D. Chafee re Resolution - Enterprise Zone Wage Tax Credit (signed copy attached)
8. Council Clerk Cirillo to Henry L. Staley, R.I. Taxpayers re March 27, 2013 Council Presentation - Straight Party Vote
9. Council Clerk Cirillo to Barrington Town Councilwoman Ann Strong re Bristol County Water Authority
10. Council Clerk Cirillo to Raymond Cordeiro re Thank You For Service - Capital Project Commission and Rogers Free Library Board of Trustees
11. Tattoo License Renewal Petition - Ender's Ink and Art (granted March 6, 2013)
12. Town Administrator Teixeira to Manuel R. Pavao Contractor, Inc., Rehoboth, MA re request granted for withdrawal from awarded Bid #769 - 2012 Sidewalk Replacement Project
13. Town Administrator Teixeira to LAL Construction Company, Inc., Fall River, MA re award of Bid #769 - 2012 Sidewalk Replacement Project

14. Wendy J.W. Marshall, CMC, Middletown Town Clerk - Resolution re request for support in Opposition to Contract Continuation Legislation
15. Wendy J.W. Marshall, CMC, Middletown Town Clerk - Resolution re request for support in Opposition to Binding Arbitration Legislation
16. Class F Alcoholic Beverage License - Official Portuguese School of Bristol, St. Elizabeth's Church, 580 Wood Street, March 23, 2013
17. Warrant - Georgina Macdonald, Bristol County Water Authority Board of Directors
18. Coastal Resources Management Council re Semi-Monthly Meeting Notice - March 26, 2013

**(CA) II. DISTRIBUTIONS/NOTICE OF MEETINGS**  
(Office copy only)

**Approval of consent agenda="Motion to receive and place these items on file."**

1. North and East Burial Ground Commission (Commissioners of the Cemeteries) Meeting - April 5, 2013
2. Harbormaster Search Committee Meeting - March 11, 2013
3. Harbormaster Search Committee Meeting - March 12, 2013
4. Harbormaster Search Committee Meeting - March 13, 2013
5. Fourth of July Committee General Meeting - March 13, 2013
6. Bristol Warren Regional School District, Schedule of Meetings - Week of March 10, 2013
7. Bristol Warren Regional School Committee Meeting/Workshop - March 11, 2013
8. Recreation Board Meeting - March 12, 2013

9. Bristol County Water Authority Finance Committee Meeting - March 18, 2013
10. Bristol Warren Regional School District Joint Finance Committee Meeting - March 14, 2013
11. Bristol County Water Authority Committee Meeting of the Board - March 13, 2013
12. Bristol Warren Regional School District, Schedule of Meetings - Week of March 17, 2013
13. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - March 18, 2013
14. Bristol Warren Regional School District Joint Finance Committee - March 26, 2013 (amended March 21, 2013)
15. Bristol County Water Authority Ad Hoc Committee - March 26, 2013
16. Bristol Warren Regional School District, Schedule of Meetings - Week of March 24, 2013
17. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - March 25, 2013
18. Bristol Warren Regional School Committee Personnel/Contract Negotiation Subcommittee - March 25, 2013
19. Bristol Warren Regional School Committee Regular Business Meeting - March 25, 2013
20. Animal Shelter Capital Project Committee - March 27, 2013
21. Harbor Commission - Appeals Hearing, March 26, 2013

ADJOURNED: \_\_\_\_\_

jmw